

### **REMARKS**

This Amendment is filed in response to the Office Action dated December 23, 2009. The Applicant respectfully requests reconsideration. All rejections and objections are respectfully traversed.

Claims 1 – 14, 29, and 36 – 43 are now pending in this application.

No claims have been amended or added.

#### ***Interview Summary***

On March 18, 2009 the Applicant's attorney conducted a telephone interview with the Examiner. The Applicant thanks the Examiner for his time. Claim 1 and the cited references Slobodin et al., U.S. Publication No. 2003/0072429 (hereinafter "Slobodin"), Rodman et al., U.S. Publication No. 2002/0103864 (hereinafter "Rodman"), Watanabe et al., U.S. Patent No. 7,234,116 (hereinafter "Watanabe"), and Official Notice were discussed. The Applicant drew the Examiner's attention to the limitation "***in response to the first adaptor receiving the start meeting command, causing, by the first adaptor, the first computer to send a start meeting message over the data network to a data center***" and "***receiving, at the first adaptor from the first computer, a meeting identification that was generated by the data center***" of claim 1. The Examiner requested that the Applicant file a terminal disclaimer with respect to Application No. 10/606,451, that was filed June 26, 2003, now issued as U.S. Patent No. 7,421,469.

#### ***Terminal Disclaimer***

In response to the discussion in the telephone interview of March 18, 2009, the Applicant files a terminal disclaimer herewith over U.S. Patent No. 7,421,469.

#### ***Claim Rejections – 35 U.S.C. § 103***

At pages 2 – 7 of the Office Action, claims 1 – 7, 12, 29, 36 – 38, 40, and 43 were rejected under 35 U.S.C. § 103(a) over Slobodin, in view of Rodman, in further view of Watanabe, in further view of Official Notice.

The Applicant's claim 1, representative in part of the other rejected claims, sets forth (emphasis added):

1. A method for initiating an online meeting over a data network between a host party with a first computer and an attendee party with a second computer, where a phone connection exists over a telephone network between a first phone of the host party and a second phone of the attendee party, the method comprising:

- receiving a start meeting command at a first adaptor coupled to both the first phone and the first computer;
- in response to the first adaptor receiving the start meeting command, causing, by the first adaptor, the first computer to send a start meeting message over the data network to a data center;*
- receiving, at the first adaptor from the first computer, a meeting identification that was generated by the data center;*
- storing the meeting identification in the first adaptor; and
- transmitting the meeting identification from the first adaptor over the telephone network to a second adaptor, which is coupled to both the second phone and the second computer.

The Applicant respectfully submits that a combination of Slobodin, Rodman, Watanabe, and Official Notice does not teach or suggest the Applicant's claimed *"in response to the first adaptor receiving the start meeting command, causing, by the first adaptor, the first computer to send a start meeting message over the data network to a data center"* and *"receiving, at the first adaptor from the first computer, a meeting identification that was generated by the data center."*

In the Applicant's technique an adaptor, that receives a start meeting message, **causes** a computer to send a start meeting message over a data network. In contrast, Slobodin, Rodman and Watanabe are silent with respect to receiving a command at a first entity (e.g., an adaptor) which causes the first entity to cause a second entity (e.g., a computer) to send a start meeting message. Further, in the Applicant's technique, the first adaptor receives from the first computer a meeting identification, that was generated by the data center, and is then transmitted **over a telephone network** to a second adaptor, while Slobodin, Rodman and Watanabe are silent with respect to this aspect of the claims. The deficiencies of Slobodin, Rodman and Watanabe are not remedied by Official Notice. As explained further below, to the extent the Official Notice is directed to the specific "methodology" claimed, the Applicant traverses the Official Notice as improper. To the extent the Official Notice is merely directed to generic sending and

receiving generic information or data from one device to another, the Applicant respectfully urges that this is quite different than what is being claimed, and in no way teaches what is lacking from Slobodin, Rodman and Watanabe.

Slobodin merely discloses a technique where a data conference appliance receives input to start a data conference and then that same data conference appliance begins a negotiation procedure over a voice network to start the data conference. *See* Slobodin paragraph [0051]. Thus, it is **one entity** in Slobodin that receives the input and then begins the negotiation procedure over the voice network. Therefore, a causal link between an adaptor and a computer as is claimed by the Applicant, where the adaptor that receives the start meeting command causes the computer to send a start meeting message, is **not** present within the Slobodin reference. Further, Slobodin makes no mention of a **first adaptor** receiving from a **first computer** a meeting identification that is **generated by a data center**. The Applicant notes that there appears to be agreement at page 3 and 4 of the Office Action that Slobodin does not address these aspects of the Applicant's claim.

Rodman discloses a system where **one unit**, the conference endpoint, performs all the operations necessary to initiate a data conference. *See* Rodman, paragraph [0012] and Figure 1. That is, the conference endpoint is the entity that receives the initiation request (by depressing a single key) and is also the same entity that sends any requests to a conference server. *See* Rodman, paragraph [0012] and Fig. 2. As such, a causal link between an adaptor and a computer as is claimed by the Applicant, where the adaptor that receives the start meeting command causes the computer to send a start meeting message, is **not** present within the Rodman reference. There appears to be agreement at page 4 of the Office Action that Rodman does not address this aspect of the Applicant's claim. Further, Rodman makes no mention of a **first adaptor** receiving from a **first computer** a meeting identification that is **generated by a data center**. Instead, Rodman simply describes that a conference server can send a conference code to a conference endpoint. *See* Rodman, paragraph [0012].

Moreover, the Applicant respectfully submits that Watanabe also **fails** to suggest receiving a start meeting command at one entity, an adaptor, which in turn causes a

second entity, a computer, to send a start meeting message over the data network. The Examiner suggests that Watanabe addresses this aspect of the Applicant's claim at Figure 7 and at column 12, line 61 – column 13, line 40 of Watanabe. *See* Office Action, page 4. The Applicant respectfully requests reconsideration. Specifically, this portion of Watanabe states that “a start-up message is transmitted from the user terminal 5 or 6 to the administrator server 1.” *See* Watanabe, col. 13, lines 1 – 2 and Figure 1. “Upon receipt of the start-up message from the user terminal 5 or 6, the administrator server 1 accesses the ‘user information database’ and change the use status to ‘OnNet’.” *See* Watanabe, col. 13, lines 16 – 19. Thus, it is **one entity**, terminal 5 or 6 of Watanabe, that performs the process of starting up the communication software. Said differently, a causal link between an adaptor and a computer as is claimed by the Applicant, where the adaptor that receives the start meeting command causes the computer to send a start meeting message over a data network, is **not** present within the Watanabe reference. Further, Watanabe makes no mention of **a first adaptor** receiving from **a first computer** a meeting identification that is **generated by a data center**.

Finally, the deficiencies of Slobodin, Rodman and Watanabe are not remedied by Official Notice. At page 5 of the Office Action, the Examiner states that “Offic[ial] Notice is taken, **the methodology** of sending/receiving information/data from one device to another is well known. This method can be applied to sending from a computer to an adaptor” (emphasis added).

To the extent the Official Notice is directed to the specific “methodology” claimed, the Applicant traverses the Official Notice as improper. MPEP 2144.03(A) describes that Official Notice is only proper where what is being notice is “capable of instant and unquestionable demonstration.” The Applicant claims *“in response to the first adaptor receiving the start meeting command, causing, by the first adaptor, the first computer to send a start meeting message over the data network to a data center”* and *“receiving, at the first adaptor from the first computer, a meeting identification that was generated by the data center.”* Such “methodology” includes a causal relationship between three different entities that interact to establish an online meeting through use of a meeting identification. Such causal relation and interaction is not

“capable of instant and unquestionable demonstration.” As such, the Applicant respectfully urges that to the extent the Official Notice is directed to the specific methodology claimed, it is improper, and therefore traversed.

To the extent the Official Notice is merely directed to generic sending and receiving of generic information or data from one device to another, the Applicant respectfully urges this is quite different than what is being claims, and in no way teaches what is lacking from Slobodin, Rodman and Watanabe. The Applicant claims “*in response to the first adaptor receiving the start meeting command, causing, by the first adaptor, the first computer to send a start meeting message over the data network to a data center*” and “*receiving, at the first adaptor from the first computer, a meeting identification that was generated by the data center.*” Generic sending and receiving of generic information or data from one device to another does not suggest a first adaptor should receive a start meeting command, and then **cause** a first computer to send a start meeting message over the data network to a data center. This causal relationship is not taught by generic transfer of information or data. Further, generic sending and receiving of generic information or data from one device to another does not suggest a first adaptor receiving from a first computer a meeting identification that is generated by a data center. As such, the Applicant respectfully urges that to the extent the Official Notice is directed to generic sending and receiving of generic information or data from one device to another, it does not teach the claim limitations missing from Slobodin, Rodman and Watanabe.

Accordingly, the Applicant respectfully submits that a combination of Slobodin, Rodman, Watanabe, and the Official Notice is legally insufficient to render the present claims unpatentable under 35 U.S.C. § 103(a) because of the absence of the Applicant’s claimed *in response to the first adaptor receiving the start meeting command, causing, by the first adaptor, the first computer to send a start meeting message over the data network to a data center*” and “*receiving, at the first adaptor from the first computer, a meeting identification that was generated by the data center.*”

At pages 8 – 10 of the Office Action, claims 8 – 11, 13 – 14, 39, and 41 – 42 were rejected under 35 U.S.C. § 103(a) over Slobodin in view of Rodman, in further view of Watanabe, in further view of the Official Notice, in further view of Lee et al., U.S. Patent No. 6,959,072 (hereinafter “Lee”).

Claims 8 – 11, 13 – 14, 39, and 41 – 42 are dependent claims that depend from independent claims believed to be in condition for allowance. Accordingly, claims 8 – 11, 13 – 14, 39, and 41 – 42 are believed to be in condition for allowance, due to their dependency as well as for other separate reasons.

Should the Examiner believe a telephonic interview would be helpful in the disposition of this Application, the Examiner is encouraged to call the undersigned attorney at (617) 951-2500.

In summary, all independent claims are believed to be in condition for allowance and therefore all dependent claims that depend there from are believed to be in condition for allowance. The Applicant respectfully requests favorable action.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,

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